THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 13525 of 2007

Date:28-06-2007

Between:

Smt.Shaik Mehaboob Bee and 7 others ..
PETITIONER

AND

The Special Deputy Collector (TW) Bhadrachalam and two others
..
RESPONDENTS

ORDER:

The petitioners seek a writ of mandamus to declare the inaction of the 2nd respondent in disposing of the stay petition or appeal filed on 01.06.2007 against the order of eviction Proc.No.LTR Case No.329/2006/PNB, dt.21.01.2007 passed by the 1st respondent and the action of the 3rd respondent in trying to dispossess the petitioners from the land admeasuring Ac.18.33 guntas in Sy.No.254/6 situated at Lingamgudem village of Penuballi revenue mandal, Khammam district, as illegal and arbitrary.

It is stated that as against the order passed by the Special Deputy Collector (Tribal Welfare), Bhadrachalam in Proc.No.LTR Case No.329/2006/PNB, dt.21.01.2007 ordering ejectment of the petitioner and others from the possession of the land in an extent of Ac.25.33 gutnas in Sy.No.254/6 situated at Lingamgudem village of Penuballi revenue mandal, Khammam district, the petitioners filed an appeal on 01.06.2007 insofar as the land claimed by them in an extent admeasuring Ac.18.33 guntas in Sy.No.254/6 situated at Lingamgudem village of Penuballi revenue mandal, Khammam district along with the stay petition. It is stated that neither the appeal has been taken up nor the said stay petition has been disposed of.

Having regard to the facts of the case, without expressing any opinion on the merits of the case, the second respondent is directed to dispose of the appeal filed by the petitioner on 01.06.2007 after giving reasonable opportunity to all the parties concerned and till the disposal of the said appeal, status quo with regard to the possession obtained as on today shall be maintained.

With the aforesaid observations, the writ petition is disposed of. No costs.

V.ESWARAIAH, J.

Date:28.06.2007
ccm